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Letter dated 26 November 1999 from the Chargé d'affaires a.i. of the Permanent Mission of the Republic of Yugoslavia to the United Nations addressed to the Secretary-General

I have been instructed by my Government to advise you of its views on the adoption in the Third Committee of the draft resolution entitled "Situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)" (A/C.3/54/L.86) on 22 November 1999.

1. The change of the official and recognized name of the Federal Republic of Yugoslavia in the heading and throughout the text of the draft resolution by the addition of the names of its constituent Republics in brackets is unwarranted.

2. The draft resolution is silent altogether about massive violations of the human rights of the citizens of the Federal Republic of Yugoslavia as a direct result of the almost three-month air aggression of the North Atlantic Treaty Organization (NATO), headed by the United States of America, on the Federal Republic of Yugoslavia. During this brutal aggression, over 2,000 civilians were killed, while over 10,000 people sustained injuries and many of them will remain crippled for life. At the same time, thousands of private homes and apartments and many refugee camps have been destroyed, dozens of hospitals destroyed or damaged and more than 300 pre-school institutions, elementary and secondary schools and university buildings destroyed. NATO also caused an environmental catastrophe of such an order of magnitude that hundreds of pregnant women, for instance, have been advised to interrupt pregnancies. The catastrophe afflicts not only the Federal Republic of Yugoslavia, but neighbouring countries and Europe as a whole. None of these gross violations of basic human rights has been reflected in the draft resolution.

3. The indictments brought against the leaders of the Federal Republic of Yugoslavia by the International Tribunal for the Former Yugoslavia are arbitrary, unfounded and politically motivated. It is indicative, however, that the Tribunal has announced no new indictments for the commission of crimes in Kosovo and Metohija since the deployment of the international security force (KFOR) and the United Nations Interim Administration Mission in Kosovo (UNMIK), although gross violations of human rights have been

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committed in that period, including the massive expulsion, killing, abduction, intimidation and eviction of the Serbs, Roma and other non-Albanians, as pointed out by the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia in his report (see A/54/396 and A/54/396/Add.1).

4. The Special Rapporteur makes no mention of the existence of hidden detention centres, maintained and controlled by the authorities of the Federal Republic of Yugoslavia or any Yugoslav or Serbian formation. In contrast, the Special Rapporteur does make an explicit reference in his report (see A/54/396, para. 120) to the existence of such centres, maintained and controlled, with the knowledge of KFOR and UNMIK, by the Kosovo Liberation Army. At least two of them contain instruments of torture.

5. In demanding that the Government of the Federal Republic of Yugoslavia promote and protect free and independent media, the authors of the draft resolution are oblivious of the fact that, during the aggression, NATO made a special effort to shut down the media in the Federal Republic of Yugoslavia. To that end, a large number of radio and television stations, public and private, and many transmitters and relay stations were bombed and destroyed, on which occasion dozens of journalists and technicians lost their lives. The concern of the authors of the draft resolution with the freedom of expression and the media comes out very vacuous against the fact that the United States refused to grant visas to Yugoslav journalists to cover the visit of the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia to New York during the fifty-fourth regular session of the General Assembly.

6. Calling upon the Government of the Federal Republic of Yugoslavia to respect the rights of all persons belonging to minority groups does not reflect the true concern or, for that matter, the real need for it. Rather, it is a tactical ploy to divert attention from the genuine problems that the draft resolution makes no mention of at all.

7. The call to rebuild and facilitate the multi-ethnic society in Kosovo and Metohija is directed to a wrong addressee. It should be addressed to UNMIK and KFOR as the ethnic cleansing of Serbs and other non-Albanians in this Serbian province takes place under their watch and they are the only ones that can prevent it at this moment in time.

8. The authors of the draft resolution have saved the greatest part of their cynicism for the call upon the authorities of the Federal Republic of Yugoslavia to cooperate with the Office of the United Nations High Commissioner for Refugees and other humanitarian organizations to alleviate the suffering of refugees and internally displaced persons and to assist in their safe and voluntary return to their homes. The call is made at the time when, according to both United Nations documents and Yugoslav data, 700,000 refugees from Bosnia and Herzegovina and Croatia, and about 330,000 persons expelled from Kosovo and Metohija after the deployment of KFOR and UNMIK, are sheltered in the Federal Republic of Yugoslavia. Flooded by the human wave and strained for resources, the Federal Republic of Yugoslavia has but made every selfless effort to aid and assist these hapless people and has no greater calling than to work on their return home. It would be proper to address a call to alleviate their plight to the international community.

9. In general, the draft resolution is awash with double standards in the treatment of human rights and the yardstick is changed to fit the object of observation. The Serbs, in whichever country covered by the draft resolution they happen to live, are given differential treatment, the Croats and Muslims almost deferential.

While noting the "initiatives" and "cooperation" of the Croatian authorities in the section on Croatia, the draft resolution also takes note of continued instances of ethnically

based problems in Eastern Slavonia without ever bothering to explain the nature of those problems. In point of fact, the Serbs in Croatia, including those in Eastern Slavonia, continue to be discriminated against and violent means are employed to push them out of that part of the country. The number of returnees is also manipulated with and their nationalities are not disclosed. The number of Serbian returnees, for instance, is far smaller than the number of Serbs who want to return and have taken steps in that direction.

I should be grateful if you would have the present letter published as a document of the General Assembly under agenda item 116 (c).

(*Signed*) Vladislav **Jovanović**
Chargé d'affaires a.i.